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FILED

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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY *[Signature]* DEPUTY

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

'07 MJ 8936

UNITED STATES OF AMERICA,

Plaintiff.

v.

Tammy Lynn WHITE (1),
Frank David CATANIA (2),

Defendants.

Magistrate Case No.:

COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 and 960
Importation of a Controlled Substance
(Felony)

The undersigned complainant being duly sworn states:

That on November 17, 2007, within the Southern District of California, defendants Tammy Lynn WHITE, and Frank David CATANIA did knowingly and intentionally import approximately 29.44 kilograms (64.77 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

[Signature]
Special Agent
U.S. Immigration & Customs
Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 19th
DAY OF NOVEMBER 2007.

[Signature]
PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 V.
3 Tammy Lynn WHITE,
4 Frank David CATANIA

5 STATEMENT OF FACTS

6 This statement of facts is based on the reports, documents, and notes furnished
7 to U. S. Immigration and Customs Enforcement Special Agent Stiefer.

8 On November 17, 2007, at approximately 1913 hours, Tammy Lynn WHITE,
9 along with Frank David CATANIA, entered the United States through the Calexico,
10 California West Port of Entry. WHITE was the driver, and registered owner of a 2000
11 Buick Le Sabre bearing California license plate 6BTD817, and CATANIA was a
12 passenger in the vehicle.

13 During primary inspection, Customs and Border Protection (CBP) Officer R.
14 Garcia received a negative Customs declaration from CATANIA. CATANIA also stated
15 to CBP Officer Garcia that the driver, WHITE, had a hearing problem and could not
16 hear very well. CBP Officer Garcia inquired as to their reason of travel into Mexico,
17 and CATANIA stated that he went to have dental work performed. CBP Officer Garcia
18 then had WHITE open the trunk so he could perform an inspection. At that time, CBP
19 Officer Garcia observed what he believed to be as a non-factory compartment. For the
20 above stated reason, WHITE and CATANIA along with the vehicle were referred for
21 secondary inspection.

22 A subsequent inspection of the vehicle revealed 14 packages concealed within a
23 non-factory compartment located within the rear seat of the vehicle. One of the
24 packages was probed and a sample of a green, leafy substance was obtained, which
25 field-tested positive for marijuana. The 14 packages had a combined net weight of
26 approximately 29.44 kilograms (64.77 pounds).

27 CATANIA was placed under arrest and advised of his rights per
28 Miranda, which he acknowledged and waived, agreeing to answer questions without
29 the presence of an attorney. CATANIA stated he believed there were narcotics inside

1 the vehicle, but was unsure of the location, type or quantity. CATANIA stated that both
2 he and WHITE knew that something was in the vehicle, and that both of them were to
3 be paid \$300.00 to drive the vehicle to the Los Angeles area.

4 WHITE and CATANIA were booked into the Imperial County Jail pending their
5 initial appearance before a U.S. Magistrate Judge.